

# **SPECIAL MEETING NORTH SMITHFIELD TOWN COUNCIL**

**OCTOBER 5, 2015**

**KENDALL-DEAN SCHOOL AUDITORIUM**

**7:00 P.M.**

The meeting began at 7:03 P.M. with the prayer and the pledge to the flag. Council members present were Ms. Alves, Mr. Soly, Mr. Zwolenski and Mr. Boucher. Town Solicitor Igliozzi was also in attendance. Town Administrator Hamilton was unable to attend due to a family medical emergency.

## **EXECUTIVE SESSION**

**MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted 4 to 0 on a roll call vote to move Item E under Old Business (Davison and Associates Peer Review of Architectural Contract) into executive session.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote to enter into executive session pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation or work sessions pertaining to collective bargaining or litigation to discuss potential litigation.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted 4 to 0 on a roll call vote to allow Public Buildings Improvement Committee Chairman Joseph Cardello to attend executive session.**

**(Mrs. Nadeau arrived at 7:09 P.M.)**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to come out of executive session at 7:49 P.M. and to seal the minutes. No motions were made and no votes were taken.**

**MOTION by Mr. Zwolenski, seconded by Ms. Alves, and voted unanimously on a roll call vote to enter into executive session at 7:50 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation or work sessions pertaining to collective bargaining or litigation to discuss potential litigation regarding E-1 Grinder Pumps.**

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**MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to come out of executive session at 8:29 P.M. and to seal the minutes. No motions were made and no votes were taken.**

**RECONSIDERATION OF VOTE RE: CT GAS REQUEST FOR EXTENSION OF HOURS**

**MOTION by Mr. Boucher and seconded by Mrs. Nadeau to reconsider**

**the vote taken on September 8, 2015 regarding the request from CT Gas for extended hours.**

**Roll call: Ms. Alves - no; Mrs. Nadeau - yes; Mr. Soly - no; Mr. Zwolenski - no; and Mr. Boucher - yes. The motion failed 3 to 2.**

**PUBLIC HEARING ZONING ORDINANCE AMENDMENT SEC. 6.13  
PARKING AND STORAGE OF CERTAIN VEHICLES**

**Mr. Zwolenski noted that the Ad Hoc Ordinance Review Committee has not taken a definitive vote to send this to the Town Council as yet.**

**Several residents were allowed to speak since it had been advertised as a public hearing.**

**Mr. Newton Whipple of 878 Black Plain Road collects old cars. He has garages for most but not all. Mr. Whipple also has tractors that are covered and a camper that he keeps parked near the road.**

**Mrs. Nadeau asked if all the vehicles were registered and was told they are not.**

**Mr. Soly found it unacceptable that if a vehicle is registered and the town was collecting taxes on it, that's okay; but if the vehicle is not registered, then it cannot be on the property. Mr. Soly noted that this ordinance and Section 6.14 are existing ordinances that are being**

**looked at to be modified.**

**Mrs. Nadeau felt that taxes are one part of the issue but also the ordinance is to keep people from having numerous unregistered vehicles on property because it becomes an eyesore. Not everyone has space on a side or back yard and she does feel there are parts of the ordinances that need to be buttoned up.**

**Roland Caron, 1780 Pound Hill Road - His son has a truck on his property, with expired license plates, and he is trying to sell it. He received a letter from the town notifying him that he could not do that. There has to be some flexibility.**

**Mr. Zwolenski commented that should someone want to test drive a vehicle that is not registered, that person would not be able to.**

**PUBLIC HEARING ZONING ORDINANCE AMENDMENT SEC. 6.14  
PARKING, STORAGE OR USE OF MAJOR RECREATIONAL  
EQUIPMENT**

**Mr. Whipple and Mr. Caron voiced their concerns about this ordinance as well because they both have recreational vehicles in their yards.**

**PUBLIC HEARING ZONING ORDINANCE AMENDMENT SEC. 7.9 USE  
OF DUMPSTERS**

**Mr. Caron has three family members living on the same street who**

share a dumpster. Several years ago there used to be a townwide pickup but that is no longer available.

Eric Piette, 32 Greenwood Street - In this proposed ordinance, dumpsters have a fee attached to it and he feels this is just another fee for small businesses and not necessary.

Doreen Gardner, 15 Rocky Hill Road - She questioned if she understood correctly that the dumpsters could only be used for construction debris and not for clean out of a residence. If that is the case, there should be a correction to that.

There was discussion about dumpsters containing food scraps. Odors in a residential zone could create a problem; however, in a commercial zone it would be different.

Mr. Soly agreed with Mr. Piette in that he did not like having a fee attached.

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**MOTION** by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to continue the public hearing for zoning ordinances Section 6.13, 6.14 and 7.9 to November 2, 2015.

**COMMUNITY DEVELOPMENT BLOCK GRANT**

**MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to move this item up next on the agenda.**

**MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau and Ms. Alves, and voted unanimously on a roll call vote to approve the following resolution: WHEREAS, funds are available under the Rhode Island Community Development Block Grant Program, administered by the Department of Administration, Division of Planning, Office of Housing and Community Development; and WHEREAS, the Governor of the State of Rhode Island has authorized the Director of said Department/Office to disburse such funds; and WHEREAS, it is in the interest of the citizens of the Town of North Smithfield that application be made to undertake a local Community Development Block Grant Program. NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF NORTH SMITHFIELD that the filing of this application for the amount of \$24,000.00 to implement the activities proposed herein hereby authorized and that Paulette Hamilton (Chief Executive Officer) is hereby authorized and directed to file this application with the Office of Housing and Community Development, to provide any additional information or documents required by said office, to make any assurances required in connection with this program, to execute an agreement with the State of Rhode Island and to otherwise act as the Representative of the Town of North Smithfield in all matters relating to this application and any award which may be based upon this application.” The motion**

also included authorization for the Town Administrator to sign the document.

## **PUBLIC HEARING ZONING ORDINANCE AMENDMENT SEC. 5.7 GROUND-MOUNTED SOLAR PHOTOVOLTAIC INSTALLATION**

**MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau and Mr. Soly, and voted unanimously on a roll call vote to remand this to the Ad Hoc Ordinance Review Committee for review and to continue the public hearing to November 16, 2015.**

## **TOWN COUNCIL MINUTES**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to remove the minutes from August 3 and September 9, 2015 and to approve the minutes of June 29, July 20, August 11 and 17, & September 8 and 21, 2015.**

### **Minutes of August 3, 2015**

**On Page 2, Mr. Zwolenski noted that a motion to not accept or entertain any legal fees brought against Paulette Hamilton in her position as a resident of the Town of North Smithfield for any serving or any capacity, operations or involvement with the RISE Mayoral Academy did not reflect that the motion was approved unanimously on a roll call vote.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to accept the minutes of August 3rd**

**as amended.**

### **Minutes of September 9, 2015**

**Mr. Zwolenski asked that the minutes of the special meeting reflect that it was for a discussion with Wind Energy Development regarding a wind turbine.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to amend the minutes of September 9th.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to approve the minutes of September 9th as amended.**

### **APPOINTMENT TO REDEVELOPMENT AGENCY**

**There was no appointment.**

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### **APPOINTMENT TO SEWER COMMISSION**

**There was no appointment.**

### **APPOINTMENT TO PARKS & RECREATION COMMISSION**

**There was no appointment.**



## **SCHOOL BOND**

**School Committee Vice Chairman Arthur Bassett is in talks to discover the preliminary steps for reconfiguration. He and Superintendent Lindberg met last week with Mr. DaSilva of the Department of Education. Stage I and II, as submitted, are dead; however, information from those applications can be resubmitted with updated information. Based on new legislation, there are two tracks that can be followed: the fast track which is for rehabilitation of any existing facilities. A letter of intent has been sent to RIDE that the town is planning to use the fast track. Fast track projects could be approved as early as May 2016. The second path is a long-term process, anything that is adding footprint, changing reconfiguration or closing a school. RIDE has no timeline for that but the town also submitted a letter of intent that it intends to pursue that so that window is open.**

**Mr. Bassett was informed by RIDE that the town should have an outside independent entity that can come in and assist in advising the town in how to accomplish what it wants to accomplish.**

**Public Building Improvement Commission Chairman Joseph Cardello commented that there is no approved plan and without it the design and construction documents cannot be put in place. He is afraid that April, the month by which school bonds should be issued, is going to come and go.**

## **PARE CORPORATION CONTRACT**

**Mr. Igliozzi is satisfied with the terms and conditions of the contract.**

**MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to authorize any changes to the terms and conditions of the contract that the Town Solicitor deems necessary and to authorize the Town Administrator to sign the contract.**

## **RESIGNATION FROM SCHOOL COMMITTEE - MRS. BONAS**

**MOTION by Mr. Boucher, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to move this item up next on the agenda.**

**MOTION by Mr. Boucher and seconded by Mrs. Nadeau to accept the letter of resignation from Mrs. Christine Bonas as of October 1, 2015 or the revised date of November 1, 2015 and to send her a letter of thanks.**

**This motion was later withdrawn.**

**MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to accept the letter of resignation of Mrs. Christine Bonas from the School Committee with an effective date of October 1, 2015 as indicated in her signed letter received by the Town Clerk on September 24, 2015.**

**MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote at 9:58 P.M. to extend the meeting to 10:30 P.M.**

**MOTION by Mr. Boucher, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to approve credits on the sheet dated September 16, 2015 in the amount of \$40,785.59 and a debit in the amount of \$1.73 and credits on the sheet dated September 30, 2015 in the amount of \$2,139.53.**

#### **TAX FREEZE ABATEMENTS**

**MOTION by Mrs. Nadeau, seconded by Mr. Zwolenski, Mr. Soly, Ms. Alves and Mr. Boucher and voted unanimously on a roll call vote to approve tax abatements in the amount of \$21,266.30 for those residents who signed up for the tax stabilization program that ultimately resulted in an overassessment of taxes. These abatements are to be applied this tax year as a credit.**

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#### **AWARD OF BID WOONSOCKET INFRASTRUCTURE VALUATION PROPOSALS**

**MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to continue this discussion to October 19, 2015.**

## **TAX ABATEMENT FOR GORDON F.B. ONDIS**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to move this item up next on the agenda.**

**There have been some issues with some parcels of land including subdivision of the land, wetlands mitigation and application of taxes.**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to request that the Town Solicitor work with the Tax Collector and the Town Planner to come up with a solution to this problem within a reasonable amount of time. Mr. Ondis was asked to provide a HUD statement from when the property was sold as well.**

## **CONSULTANT FOR ALTERNATIVE ENERGY**

**MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to approve the Professional Services Agreement with Clean Economy Development dated September 21, 2015 that will provide additional financial, deal structure and other professional services related to the analysis of Town-based renewable energy projects and to authorize the Town Administrator to sign the agreement.**

**MOTION by Mr. Soly, seconded by Mrs. Nadeau, and voted unanimously on an aye vote at 10:30 P.M. to extend the meeting for**

**five minutes.**

**KENDALL-DEAN DEED RESTRICTION AND TITLE INSURANCE REQUIREMENTS**

**MOTION by Mrs. Nadeau, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to continue this to October 19, 2015.**

**NORTH SMITHFIELD POLICE DEPARTMENT TELEPHONE SERVICE AGREEMENT**

**MOTION by Mr. Zwolenski, seconded by Mr. Boucher, and voted unanimously on a roll call vote to approve the Telephone System Customer Service and Support Agreement with Dictronics in the amounts of \$1,534.00 for the Service Contract as detailed and \$310.00 for the IP Office Software Subscription for the total amount of \$1,844.00.**

**MOTION by Mr. Zwolenski, seconded by Mrs. Nadeau, and voted unanimously on a roll call vote to authorize the Town Administrator to sign the agreement.**

**AWARD OF BID FOR CRACK SEALING, SEALCOATING AND LINE PAINTING AT FOUR TOWN-OWNED TENNIS COURTS**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote to accept the bid from Sealcoating, Inc. in the amount of \$37,171.94 for crack sealing, sealcoating and painting the lines at the four town-owned tennis courts at the high**

**school.**

**MOTION by Mr. Boucher, seconded by Mr. Zwolenski, and voted unanimously on a roll call vote at 10:37 P.M. to extend the meeting for ten minutes.**

#### **EXECUTIVE SESSION**

**MOTION by Mr. Zwolenski, seconded by Mr. Soly, and voted unanimously on a roll call vote to enter into executive session at 10:37 P.M. pursuant to RIGL 42-46-5(A)(2) Sessions pertaining to collective bargaining or litigation or work sessions pertaining to collective bargaining to discuss potential litigation.**

**MOTION by Mrs. Nadeau, seconded by Mr. Boucher, and voted unanimously on a roll call vote to come out of executive session at 10:54 P.M. and to seal the minutes. Two motions were made and two votes were taken.**

**MOTION by Mrs. Nadeau, seconded by Mr. Soly, and voted unanimously on an aye vote to adjourn at 10:55 P.M.**

**Respectfully submitted,**